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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/321,605	05/28/99	SASHIDA	N 990535

MM91/0412
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EXAMINER	
CHEN, J	
ART UNIT	**PAPER NUMBER**
2813	6

DATE MAILED: 04/12/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.	Applicant(s)
09/321,605	Sashida et al.
Examiner	**Group Art Unit**
Jack Chen	2813

☐ Responsive to communication(s) filed on _____.

☐ This action is **FINAL.**

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-20 is/are pending in the application.

Of the above, claim(s) 17-20 is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-16 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐approved ☐disapproved.

☒ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☒ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 3

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

DETAILED ACTION

1. Claims 17-20 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in Paper No. 5.

Priority

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Specification

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1-16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Re claim 1, lines 22-23, the term "the diffusion layer" lack antecedent basis (may change to "the impurity diffusion layer").

Re claim 5, page 28, lines 6-7, the term "the capacitor region" lack antecedent basis (may change to "a capacitor region").

Re claim 11, the term "the oxygen-annealing" lack antecedent basis.

Re claim 14, the term "the diffusion layer" lack antecedent basis (may change to "the impurity diffusion layer").

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless --
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

7. Claims 1-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Mochizuki et al., U.S./5,990,507.

Mochizuki et al. discloses a method of forming a semiconductor device, which comprises forming an impurity diffusion layer in a substrate; forming a first insulating film 13 covering the substrate; forming a lower electrode 17 of a capacitor on the first insulating film; forming an oxide dielectric film 18 of the capacitor on the lower electrode; forming an upper electrode 19 of the

capacitor on the oxide dielectric film; forming a second insulating film 20 for covering the capacitor; forming a first opening on or above the impurity diffusion layer and a second opening on the upper electrode in the first and second insulating films, by etching a part of the second insulating film and a part of the first insulating film (fig. 12); forming an oxidation-preventing metal 21 (titanium nitride) film on the second insulating film for connecting electrically the impurity diffusion layer via the first opening and the upper electrode via the second opening; forming a local interconnection in a range which pass through the first opening and the second opening and contains at least a region where the upper electrode contacts the oxide dielectric film, by patterning the oxidation-preventing metal film; and forming a third insulating film 23 for covering the local interconnection, see figs. 1-28, cols. 1-40.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

9. Claims 1-13, 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ochiai, U.S./5,943,583 or Watanabe et al., U.S./5,481,490 taken with Zafar, U.S./5,750,419 and in view of Kawai et al., U.S./6,022,774 and Yamazaki et al., U.S./6,046,469.

Ochiai discloses a method of forming a semiconductor device, which comprises forming an impurity diffusion layer 8 in a substrate 4; forming a first insulating film 62 covering the substrate; forming a lower electrode 31 of a capacitor on the first insulating film; forming an oxide dielectric film 2 of the capacitor on the lower electrode; forming an upper electrode 32 of the capacitor on the oxide dielectric film; forming a second insulating film 63 for covering the capacitor; forming a first opening on or above the impurity diffusion layer and a second opening on the upper electrode in the first and second insulating films, by etching a part of the second insulating film and a part of the first insulating film; forming an metal film 11 on the second insulating film for connecting electrically the impurity diffusion layer via the first opening and the upper electrode via the second opening; forming a local interconnection in a range which pass through the first opening and the second opening and contains at least a region where the upper electrode contacts the oxide dielectric film, by patterning the metal film, see figs. 1-5, cols. 1-8. Watanabe et al. also discloses the similar processes as above, see figs. 1-9, cols. 1-16.

However, the above references do not expressively show forming a third insulating film for covering the local interconnection, and using titanium nitride as the metal film (11) and carrying out various steps of oxygen annealing.

Zafar discloses a method of forming a semiconductor device, which comprises forming an impurity diffusion layer 204 in a substrate 20; forming a first insulating film covering the substrate; forming a lower electrode of a capacitor on the first insulating film; forming an oxide dielectric film 244 of the capacitor on the lower electrode; forming an upper electrode 246 of the capacitor

on the oxide dielectric film; forming a second insulating film 32 for covering the capacitor; forming a first opening on or above the impurity diffusion layer and a second opening on the upper electrode in the first and second insulating films, by etching a part of the second insulating film and a part of the first insulating film (fig. 3); forming an metal film on the second insulating film for connecting electrically the impurity diffusion layer via the first opening and the upper electrode via the second opening; forming a local interconnection in a range which pass through the first opening and the second opening and contains at least a region where the upper electrode contacts the oxide dielectric film, by patterning the metal film; and forming a third insulating film 522/524 for covering the local interconnection such will eliminate the short circuit problems, see figs. 1-6, cols. 1-8.

Kawai et al. discloses a method of forming a semiconductor device, which comprises forming an impurity diffusion layer in a substrate; forming a first insulating film covering the substrate; forming a lower electrode 31 of a capacitor on the first insulating film; forming an oxide dielectric film 32 of the capacitor on the lower electrode; forming an upper electrode 33 of the capacitor on the oxide dielectric film; forming a second insulating film 34 for covering the capacitor; forming a first opening on or above the impurity diffusion layer and a second opening on the upper electrode in the first and second insulating films, by etching a part of the second insulating film and a part of the first insulating film (figs. 2G); forming an oxidation-preventing metal film (titanium nitride) on the second insulating film via the first opening and the upper

electrode via the second opening and carrying out various steps of oxygen annealing after each the etching steps such will improve the oxide dielectric layer, see fig. 1A-2H.

The further difference between the references as applied above and the instant claim is claim 5. Yamazaki et al. teaches a method for forming a semiconductor device (capacitor), which comprises patterning the oxide dielectric film and the lower electrode, forming an intermediate insulating film for covering the oxide dielectric film and the lower electrode, forming a window, which is employed to define a capacitor region, in the intermediate insulating film by patterning the intermediate insulating film, and forming the upper electrode at least in the window such will reduce the area of the unit cell, therefore, a dense capacitor can be formed.

Therefore, the subject matter as a whole would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the standard process of Ochiai or Watanabe et al. with the teaching of Zafar (eliminate the short circuit problems) and Kawai et al. (improve the oxide dielectric layer characteristics) and Yamazaki et al. (reduce the area of the unit cell, therefore, a dense capacitor can be formed) because of the desirability to improve the performance of the device.

Conclusion

Search Area

438/ 3, 239, 240, 250, 253, 254, 256, 381, 393, 396, 397.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jack Chen whose telephone number is (703) 308-5838. The examiner can normally be reached on Monday-Friday from 8:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Bowers, can be reached on (703) 308-2417.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Jack Chen

April 10, 2000

Charles Bowers
Supervisory Patent Examiner
Technology Center 2800